PENDING CLAIMS AS AMENDED

Please amend claims 2, 5, 8, 9, and 12-16 as indicated below. A marked up version of the amended claims is attached as Appendix B.

2. (Twice Amended) An apparatus for transmitting spread spectrum data, comprising:

a modulation means for receiving data and for modulating the received data in accordance with a spread spectrum modulation format;

a scrambling means for scrambling the modulated data; and

an upconversion means for receiving the scrambled modulated data and for upconverting the scrambled modulated data for transmission at a frequency determined in accordance with a selection signal, wherein the selection signal is determined in accordance with a subset of bits from the received data.

5. (Twice Amended) An apparatus for transmitting spread spectrum data, comprising:

a modulation means for receiving data and for modulating the received data in accordance with a code channel selection signal

a scrambling means for scrambling the modulated data; and

an upconversion means for receiving the scrambled modulated data and for upconverting the scrambled modulated data for transmission at a frequency determined in accordance with a selection signal, wherein the code channel selection signal is determined in accordance with a subset of bits of the received data.

8. (Twice Amended) An apparatus for transmitting spread spectrum data, comprising:

a spread spectrum modulator for receiving data and modulating the received data;

a scrambler for scrambling the modulated data; and

at least one upconverter having an input, coupled to the scrambler, and an

output of the upconverter having a carrier frequency that changes in accordance with a predetermined pattern, wherein the predetermined pattern is determined by a subset of bits from the spread spectrum data.

9. (Twice Amended) An apparatus for transmitting spread spectrum data, comprising:

a spread spectrum modulator for receiving data and modulating the received data;

a scrambler for scrambling the modulated data; and

at least one upconverter having input coupled to the scrambler, and an output of the upconverter having a carrier frequency changing in accordance with a predetermined pattern, wherein the spread spectrum modulator modulates the scrambled spread spectrum data in accordance with a code channel selection signal that is determined in accordance with a subset of bits of the spread spectrum data.

12. (Once Amended) An apparatus for transmitting spread spectrum data, comprising:

a modulation means for receiving data and for modulating the received data in accordance with a code channel selection signal that is determined in accordance with a subset of bits of the received data;

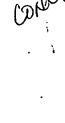a scrambling means for scrambling the modulated data; and

an upconversion mean for receiving the scrambled modulated data and for upconverting the scrambled modulated data for transmission at a frequency determined in accordance with a selection signal that is determined in accordance with a subset of bits from the received data.

13. (Once Amended) A method for transmitting data, comprising:

modulating the data;

scrambling the modulated data;

selecting a carrier frequency in accordance with a subset of bits from the data; and

upconverting the scrambled modulated data using the selected carrier frequency.

14. (Once Amended) A method for transmitting data, comprising:

modulating the data in accordance with a code channel selection signal that is determined in accordance with a subset of bits of the data;

scrambling the modulated data; and

upconverting the scrambled modulated data using a selected carrier frequency.

15. (Once Amended) A computer readable medium embodying a method for transmitting data, the method comprising:

modulating the data;

scrambling the modulated data;

selecting a carrier frequency in accordance with a subset of bits from the data; and

upconverting the scrambled modulated data using the selected carrier frequency.

16. (Once Amended) A computer readable medium embodying a method for transmitting data, the method comprising:

modulating the data in accordance with a code channel selection signal that is determined in accordance with a subset of bits of the data;

scrambling the modulated data; and

upconverting the scrambled modulated data using a selected carrier frequency.